

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

RBP, LLC,

Plaintiff,

VS.

No. 04-1154 T/An

**GENUINE PARTS CO. and INDIANA
INSURANCE CO.,**

Defendants.

GENUINE PARTS CO.,

Third-Party Plaintiff,

VS.

**ALLIANZ GLOBAL RISK U.S.
INSURANCE CO. and LEXINGTON
INSURANCE CO.,**

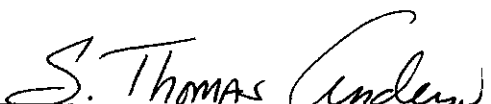
Third-Party Defendants.

ORDER STRIKING REPLY

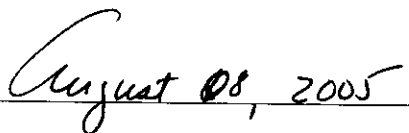
Before the Court is Plaintiff's Third Motion to Amend Complaint filed on May 26, 2005. On August 5, 2005, Plaintiff filed a Reply Brief responding to a Memorandum filed by the Third-Party Defendants addressing the Third Motion to Amend. Plaintiff did not request leave of Court prior to filing the Reply. As noted in the Rule 16(b) Scheduling Order entered in this case, "[n]either party may file an additional reply, however, without leave of court." Therefore, because Plaintiff did not request permission to file the Reply, the Court orders that Plaintiff's

reply be stricken.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date:  _____



Notice of Distribution

This notice confirms a copy of the document docketed as number 124 in case 1:04-CV-01154 was distributed by fax, mail, or direct printing on August 9, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT